Patent Docket P1219P3C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Sean Adams et al. Serial No.: To Be Assigned Filed: November 12, 2003	Group Art Unit: Not Known Examiner: Not Known Confirmation No: Not Known CUSTOMER NO: 09157
For: FIBROBLAST GROWTH FACTOR-19 (FGF-19) NUCLEIC ACIDS AND POLYPEPTIDES AND METHODS OF USE FOR THE TREATMENT OF OBESITY AND RELATED DISORDERS	Express Mail Label No.: EV351932772US Date of Deposit: November 12, 2003

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith patents, publications or other information (attached hereto and listed on the attached revised Form PTO-1449) of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

This Information Disclosure Statement is filed in accordance with the provisions of:

[x] **37 CFR §1.97(b)**

- within three months of the filing date of the application other than a continued prosecution application under 37 CFR §1.53(d); **or**
- within three months of the date of entry of the national stage of a PCT application as set forth in 37 CFR§1.491, **or**
- before the mailing of the first Office action on the merits; **or**
- before the mailing of the first Office action after the filing of a request for a continued examination under 37 CFR §1.114.

[] **37 CFR §1.97(c)**

- by the applicant after the period specified in 37 CFR §1.97(b), but prior to the mailing date of any of a final action under 37 CFR §1.113, or a notice of

allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application, and is accompanied by either the fee set forth in 37 CFR §1.17(p) **or** a statement as specified in 37 CFR §1.97(e), as checked below.

[] **37 CFR §1.97(d)**

- after the period specified in CFR §1.97(c), and is accompanied by the fee set forth in 37 CFR §1.17(p) **and** a statement as specified in 37 CFR §1.97(e), as checked below.

[If either of boxes 37 CFR §1.97(c) or 37 CFR §1.97(d) is checked above, the following statement under 37 CFR §1.97(e) may need to be completed.]

[] **37 CFR §1.97(e)**Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

[] **37 CFR §1.704(d)** Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and the communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of this information disclosure statement. Therefore, in accordance with the provisions of 37 CFR §1.704(d), the filing of this information disclosure statement will not be considered a failure to engage in reasonable efforts to conclude prosecution under 37 CFR §1.704.

[] The U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 07-0630 in the amount of $180.00 to cover the cost of this Information Disclosure Statement under 37 CFR §1.17(p). Any deficiency or overpayment should be charged or credited to this deposit account.

A list of the patent(s) or publication(s) is set forth on the attached revised Form PTO-1449 (Modified). A copy of the items on PTO-1449 is supplied herewith.

Those patent(s) or publication(s) which are marked with an asterisk (*) in the attached PTO-1449 form are not supplied because they were previously cited by or submitted to the Office in a prior application Serial No. 09/924,647, filed August 7, 2001 and relied upon in this application for an earlier filing date under 35 USC §120.

[] BLAST results enclosed:

The undersigned also wishes to bring to the attention of the Examiner BLAST results of computerized alignments of the against sequences contained in the nucleotide and protein databases. The BLAST results are provided in paper form and are identified as

reference "BLAST Results A-1- A-()" (nucleotide) and "BLAST Results B-1 - B-()" (protein) on the PTO Form 1449. Applicant requests that these references also be considered and that the Form 1449 be initialed to indicate the Examiner's consideration of the references.

A concise explanation of relevance of the items listed on PTO-1449 is:

[x] not given

[] given for each listed item

[] given for only non-English language listed item(s) [Required]

[] in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

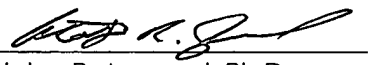
In accordance with 37 CFR §1.97(g), the filing of this information disclosure statement shall not be construed as a representation that a search has been made.

In accordance with 37 CFR §1.97(h), the filing of this information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b).

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17 for this Information Disclosure Statement, or credit overpayment to Deposit Account No. 07-0630. A duplicate copy of this sheet is enclosed.

Respectfully submitted,
GENENTECH, INC.

Date: November 12, 2003

By: 

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FORM PTO-1449 U.S. Dept. of Commerce Patent and Trademark Office

LIST OF DISCLOSURES CITED BY APPLICANT

(Use several sheets if necessary)

Atty Docket No.	Serial No.
P1219P3C1	To Be Assigned
Applicant	
Sean Adams et al.	
Filing Date	**Group**
14 Nov 2003	Not Known

U.S. PATENT DOCUMENTS

Examiner Initials		Document Number	Date	Name	Class	Subclass	Filing Date
	* 1	4,378,347	29.03.83	Franco, W.			
	* 2	5,428,130	27.06.95	Capon et al.			
	* 3	6,013,477	11.01.00	Greene et al.			

FOREIGN PATENT DOCUMENTS

Examiner Initials		Document Number	Date	Country	Class	Subclass	Translation Yes	Translation No
	* 4	HEI 12-511867		JAPAN				
	* 5	WO 93/18186	16.09.93	PCT				

OTHER DISCLOSURES (Including Author, Title, Date, Pertinent Pages, etc.)

	* 6	Abbass et al., "Altered expression of fibroblast growth factor receptors in human pituitary adenomas" Journal of Clinical Endocrinology & Metabolism 82(4):1160-1166 (Apr 1997)
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*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449	U.S. Dept. of Commerce Patent and Trademark Office	Atty Docket No. P1219P3C1	Serial No. To Be Assigned
LIST OF DISCLOSURES CITED BY APPLICANT (Use several sheets if necessary)		Applicant Sean Adams et al.	
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	*79	Wang et al., "Fibroblast growth factor receptors have different signaling and mitogenic potentials" Molecular & Cellular Biology 14(1):181-188 (Jan 1994)

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	*80	Webster and Donoghue, "FGFR activation in skeletal disorders: too much of a good thing" Trends in Genetics 13(5):178-182 (May 1997)
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